

REMARKS

Claims 1 - 8, 11 - 16 and 23 - 25 are in this application and are presented for reconsideration. By this Amendment, Applicant has amended claims 1 - 5, 8, 15 - 16, and 23 - 24, and canceled claims 17 and 18 to address issues raised in the Office Action.

It is Applicant's position that all issues have now been addressed and that the application is in condition for allowance. Applicant thanks the Examiner for the careful reading of the application, and for providing suggestions. Applicant also thanks the Examiner for indicating allowable subject matter.

Claims 1 - 5, 8, 15 - 16, and 23 - 24 have been amended according to the suggestion made by the Office Action dated April 25, 2005. It is Applicant's position that the claims as amended are clear and definite and are now placed in condition for allowance in consideration of the remark below.

CLAIM REJECTIONS - 35 USC § 112:

Claims 1 - 8, 11 - 16, 18 and 23 - 25 have been rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action states that the claims 1 - 8, 11 - 18 and 23 - 25 are vague and indefinite because they contain limitations that are unclear as to whether they intend to claim a method or an apparatus and further suggested that the elements should be rewritten such that they clearly recite structures.

In response, Applicant has amended claims 1 - 8, 11 - 16, 18 and 23 - 25 according to the suggestions made in the Office Action.

CLAIM REJECTIONS - 35 USC § 103:

The Office Action states that the Patent Office presumed the subject matter of the various claims were commonly owned at the time any inventions covered therein were made in considering patentability of the claims under 35 USC § 103(a).

Applicant confirms the assumption that the subject matter of the various claims were commonly owned at the time any inventions covered therein were made.

Claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over the U.S. Patent No. 6,638,045 to Yoshii et al. (the "Yoshii '045" reference, hereinafter) in view of the U.S. Patent No. 4,167,386 to Mallay (the "Mallay '386" reference, hereinafter).

Furthermore, claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over the Yoshii '045 reference in view of the U.S. Patent No. 3,847,530 to Hamilton (the "Hamilton '530", reference, hereinafter). The Office Action states that the Yoshii '045 reference fails to teach the harden face coated, having a thickness of less than 1mm and having a hardness level greater than 800HV01 but depends on the Hamilton '530 reference to provide support for teaching of a coating of ceramic for the purpose of making the dye face of a cutter abrasion resistant.

It is Applicant's position that the Yoshii '045 reference in view of the Hamilton '530 reference fail to anticipate or make the present invention obvious with respect to claims 17 and

18. However, claims 17 and 18 have been canceled and the issue is now moot. Further, Applicant reserves the right to pursue these subject matters in a subsequent Divisional Application.

Claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over Yoshii '045 reference in view of the U.S. Patent No. 4,378,964 to Wolfe, Jr. (the "Wolfe '964" reference, hereinafter). Specifically, the Office Action states that the Yoshii '045 reference fails to teach the harden face coated, having a thickness of less than 1mm and having a hardness level greater than 800HV01 and depends on the Wolfe '964 reference to show this feature.

As stated above, Applicant has canceled claims 17 and 18 and thus the current rejection is now moot. Applicant further notes that the cancellation is made with reservation as to Applicant's right to pursue these subject matters in a subsequent Divisional Application.

Claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over the U.S. Patent No. 3,461,495 to Swickard et al. (the "Swickard '495" reference, hereinafter) in view of the Mallay '386 reference. Specifically, the Office Action states that the Swickard '495 reference fails to teach the harden face coated, having a thickness of less than 1mm and having a hardness level greater than 800HV01 and it depends on the Mallay '386 reference to disclose this feature.

Likewise, Applicant states that the claims 17 and 18 have been canceled and thus the issue is now moot. Further, Applicant hereby reserves the right to pursue these subject matters in a subsequent Divisional Application.

Claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over

the Swickard '495 reference in view of the Hamilton '530 reference. The Office Action states that the Swickard '495 reference fails to teach the harden face coated, having a thickness of less than 1mm and having a hardness level greater than 800HV01 and depends on the Hamilton '530 reference to disclose this feature.

As noted above, Applicant reserves the right to pursue these subject matters in a subsequent Divisional Application and has canceled claims 17 and 18. Therefore, the above rejection is now moot.

Claims 17 and 18 have been rejected under 35 USC § 103(a) as being unpatentable over the Swickard '495 reference in view of the Wolfe '964 reference. Specifically, the Patent Office states that the Swickard '495 reference fails to teach the harden face coated, having a thickness of less than 1mm and having a hardness level greater than 800HV01 and it depends on the Wolfe '964 reference to disclose this feature.

As further noted, Applicant has canceled claims 17 and 18 and therefore the issue is now moot and Applicant further retains the right to pursue these subject matters in a subsequent Divisional Application.

Accordingly, Applicant respectfully requests that the Examiner reconsider the rejections in view of the amended claims and in view of the discussion above. Applicant respectfully solicits allowance of this application.

It is Applicant's position that all claims are now allowable. Should the Examiner determine that issues remain that have not been resolved by this response, the Examiner is requested to contact Applicant's representative at the number listed below.

Favorable action is requested.

Respectfully submitted
for Applicant,

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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
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